

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-34 are pending in this application. Claims 1, 9, 17, and 26 are independent. The remaining claims depend, directly or indirectly, from claims 1, 9, 17, and 26.

**Attorney Docket Number**

Applicant requests that the Attorney Docket No. for this matter be changed from "0007056-0203/P5946" as indicated on the cover sheet received with this office action to "16159.094001; P5946".

**Drawings**

Although the Examiner has accepted the drawings as filed on October 12, 2001 as formal, Applicant hereby submits seven replacement drawing sheets for Figures 1 – 7, and asks that these replacement drawing sheets be accepted by the Examiner as formal. No new subject matter has been added by way of these replacement drawing sheets.

### **Amendments**

Claims 1 and 9 have been amended to clarify the invention. Claims 5, 8, 13, 16, 21, 30, and 34 have been amended to correct antecedent basis issues. No new matter has been added by the above amendments. Further, claims 35-46 have been added. Support for these newly added claims may be found, for example, at page 13 of the Instant Specification.

### **Rejection(s) under 35 U.S.C § 112**

Claims 33 and 34 stand rejected under 35 U.S.C. § 112, ¶ 2 as indefinite for failing to point out and distinctly claim the subject matter which the applicant regards as the invention. Claims 33 and 34 have been amended in this reply to correct the antecedent basis issue, in accordance with the Examiner's suggestions, and now overcome the rejection under 35 U.S.C. § 112, ¶ 2. Accordingly, withdrawal of this rejection is respectfully requested.

### **Rejection(s) under 35 U.S.C § 102**

Claims 1, 9, 17, and 26 stand rejected under 35 U.S.C. § 102 (b) as anticipated by "Java! by Ritchey" (hereinafter "Ritchey"). This rejection is respectfully traversed.

For anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not

directly taught must be inherently present.

The Examiner asserts that Ritchey teaches reserving a memory block on a memory structure, the size of said memory block being determined according to said object type, and said memory structure being selected according to said object type. Although Ritchey teaches certain memory structures, specifically that of a stack and heap, Ritchey does not teach that the memory structures are selected according to the object type. Specifically, Ritchey teaches that the stack only stores local variables, the execution environment, and the operand stack. Therefore, Ritchey does not decide what elements are stored in the stack based on object type because it is already defined that local variables, the execution environment, and the operand stack are stored in the stack. Using the teaching of Ritchey, the object type of a local variable would not be considered before storing the object in the stack – a local variable is *always* stored in the stack. Therefore, it is not taught in Ritchey that the memory structure (*e.g.*, stack) is selected according to the object type as asserted by the Examiner. Instead, Ritchey actually teaches that the memory structure (*e.g.*, stack) is selected according to the context in which the object is used.

In addition, Ritchey does not teach reserving a memory block on a memory structure using the object type to determine *both* the size of the memory block and the memory structure to use as asserted by the Examiner. Although Ritchey teaches the size of several objects (*e.g.*, a byte integer, a short integer, an int, and a

long integer) and several memory structures (*e.g.* a heap and a stack), Ritchey does not teach using both the object size and the object type to reserve a memory block on a memory structure. Further, Ritchey does not teach reserving a memory block on a memory structure in any manner. Therefore, since Ritchey does not teach reserving a memory block of a specific size on a specific memory structure, Ritchey cannot teach reserving a memory block on a memory structure where the size of the memory block is determined by the object type, and the memory structure is also determined by the object type as asserted by the Examiner.

In view of the above, the rejection is unsupported by Ritchey, and therefore independent claims 1, 9, 17, and 26 are patentable over Ritchey. Dependent claims are allowable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

## Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 16159.094001).

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Respectfully submitted,

 Reg. No.  
46,479

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